

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
October 11, 1991

JEROME B. SIMANDLE  
UNITED STATES MAGISTRATE

UNITED STATES COURT HOUSE  
CAMDEN, N.J. 08101

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IN RE DONALD J. TRUMP CASINO SECURITIES LITIGATION,  
MDL No. 864

Dear Counsel:

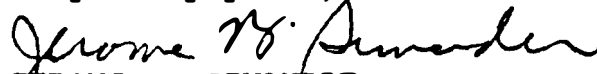
This will confirm our discussions in the telephone conference on October 9, 1991.

A dispute has arisen whether the Memorandum of Understanding initialed by counsel last Spring should form the basis of a proposed settlement for the consideration of the alleged class members. Many of the plaintiffs' counsel alleged that "confirmatory discovery" recently completed has caused them

to reject the proposed settlement set forth in the Memorandum of Understanding last Spring. Defendants have asserted that the "confirmatory discovery" undertaken in this case should not serve as a basis for nullifying the Memorandum of Understanding, and that the proposed settlement should go forward. This issue was discussed at length at a settlement conference before me on September 27, 1991. An exchange of correspondence among counsel has left this issue unresolved. [Please see letters of Todd S. Collins, dated October 1, 1991; of Joel C. Feffer, dated October 3, 1991; of Richard L. Posen, dated October 8, 1991; and of Stuart J. Baskin, dated October 8, 1991.]

Accordingly, defendants have requested and received this court's permission for the expedited listing of a motion with respect to seeking preliminary judicial approval of the proposed settlement consistent with the Memorandum of Understanding, for purposes of notice to the class and balloting, pursuant to Rule 23, Fed. R. Civ. P. This motion, and any related motion, shall be filed not later than October 21, 1991, to be returnable before the Honorable John F. Gerry on Friday, November 8, 1991. Any opposition thereto shall be delivered to counsel and court not later than November 1, 1991. Any reply thereto shall be delivered to counsel and court not later than November 4, 1991. It is anticipated that Chief Judge Gerry will hear oral argument on November 8. Please consult his chambers for the time of the argument.

Very truly yours,



JEROME B. SIMANDLE  
United States Magistrate Judge

JBS:bg

cc: Honorable John F. Gerry  
Patrick H. Ronga, Deputy Clerk